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## PLANNING COMMISSION MINUTES

### Meeting of June 11, 2015

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City Hall Council Chambers \* 290 North 100 West Logan, UT 84321 \* [www.loganutah.org](http://www.loganutah.org)

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, June 11, 2015. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Butterfield, Amanda Davis, Roylan Croshaw, Tom Jensen, Russ Price, Maybell Romero, Sara Sinclair

Staff Present: Russ Holley, Amber Reeder, Kymber Housley, Bill Young

Minutes as written and recorded from the May 28, 2015 meeting were reviewed. Commissioner Sinclair moved that the minutes be approved as submitted. Commissioner Price seconded the motion. The motion was unanimously approved.

#### **PUBLIC HEARING**

**PC 15-032 Northern Utah Medical Center - amended** [Subdivision Permit] Cache Landmark Engineering/Stadium View LLC, authorized agent/owner, request to divide the property into 2 lots and remove the eastern portion of the building from the condominium plat located at 630 East 1400 North in the Commercial (COM) zone; TIN 05-016-0201-0212.

**STAFF:** Mr. Holley reviewed project. The area currently consists of one (1) City recognized parcel at 2.80 acres. The property was divided into 12 condominium properties and one common property. Condo minimization is a way to divide ownership of real property into separate units, typically located inside a building (air space), with one or multiple common real properties. Condominiums typically have joint ownership and maintenance responsibilities. Only subdivisions of real property are reviewed and approved by the City. This property currently contains one common parcel and 12 condominium units. The applicant is proposing to divide the common real property into two (2) parcels and separate the 12 condominium ownerships within the building to the underlying associated real property. Lot #1 (east) is proposed at 1.2 acres and Lot #2 (west) is proposed at 1.6 acres.

**PROPONENT:** Val Sorensen explained the intent to divide the building to allow for separate ownership.

**PUBLIC:** None

**COMMISSION:** Mr. Holley clarified for Commissioner Jensen that a condominium plat has a common area and there are recommended conditions regarding cross-access uses on the site.

Commissioner Jensen had concerns regarding the common wall and separation of mechanical systems. Mr. Sorensen confirmed that there are two walls (not a party wall) and separate mechanical systems.

**MOTION:** Commissioner Sinclair moved to **conditionally approve** a Subdivision Permit as outlined in PC 15-032 with the conditions of approval as listed below. Commissioner Romero seconded the motion.

#### CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Because the COM zone does not specifically allow common wall side setbacks at 0', the final plat cannot be recorded until a variance is obtained or code amendment is adopted allowing for common wall 0' side setbacks in the COM zone.
3. Two (2) lots are approved with this subdivision permit.
4. The final plat shall be recorded within one (1) year of this action or comply with LDC §17.58 Expirations and Extensions of Time.
5. The final plat shall have a cross access easement on both lots allowing vehicular circulation through the parking area connecting both ingress/egress points.
6. The final plat shall show a cross easement for stormwater conveyance and storage.
7. Logan City standard public utility easements of 5' shall be shown along property lines.
8. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Water
    - i. Building needs its own water line served by its own backflow assembly (per degree of hazard) as it enters building before any branch offs.
    - ii. Landscaping irrigation will need a high-hazard rated backflow assembly installed and tested.
    - iii. Fire suppression system must have a currently approved backflow assembly installed and tested (does new part have its own fire riser or does it come from existing).

#### FINDINGS FOR APPROVAL

1. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the Land Development Code.
2. The project conforms to the requirements of Title 17.47 contingent upon a variance or code amendment for a common wall 0' side setback and meets all procedures, application requirements and plat preparations.
3. The project meets the goals and objectives of the Commercial (COM) zoning designations in the Logan General Plan by providing business opportunities in areas with existing services and infrastructure.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

Moved: Commissioner Sinclair   Seconded: Commissioner Romero   **Passed: 7-0**

Yea: D. Butterfield, A. Davis, R. Croshaw, T. Jensen, R. Price, M. Romero, S. Sinclair   Nay:   Abstain:

**PC 15-027 GW Properties 6-plex** – *continued from May 14* - [Design Review Permit] Greg McDonagh/GW Properties LLC, authorized agent/owner, request to remove the existing structure and construct a 3-story 6-plex on .3 acres at 274 East 300 North in the Mixed Residential (MR-20) zone; TIN 06-063-0024.

**STAFF:** Mr. Holley reviewed the proposal to demolish the existing structures and construct a new 6-plex stacked apartment building near the front of the property with a 12-stall parking lot located in the rear yard. A new driveway is proposed along the west side of the property accessing the parking lot. The building will be three (3) stories with step-back terraces that create outdoor patios for each dwelling unit and will be constructed out of cast-in-place reinforced concrete and finished with a gray granite speckled application similar to the texture of stucco.

This project is compliant with the requirements of the Land Development Code. Photos of the surrounding neighborhood were reviewed. The average age of residences on the block is 1941 and structure design is more typical to Victorian design and one story to a story and a half. The setbacks vary. A review of the block indicated that 83% of the properties are multi-family.

The proposed structure is modern in design and 3-stories high. There will be a raised planter and plenty of opportunity for landscaping. The new rendering includes the elimination of the front wall. The building will sit 10' from the property line. The second floor is terraced 3' into the front setback. Some parking has been included on the back of the building under a building terrace. The location of the refuse area has been moved.

The building is approximately 30' in height, which is less than the maximum height for the zone of 45'. Other buildings in the area are typically shorter, while there are a few 3-story buildings on the block. The existing building is 2-stories.

**PROPONENT:** Steven Mansfield, the project architect, distributed samples of the concrete product to be used for construction. Some changes were made to address the Commission's concerns. The units have been modified to be 2-bedroom units. They are pursuing LEED Certification.

Greg McDonagh, the project contractor, discussed the construction and application process. This would be the only LEED Certified apartment building in Utah. The project will have an owner-occupied unit and five (5) rental units. The ground-level landscaping and planters will be maintained through a homeowner association fee. Tenants will provide maintenance of individual balconies. The trees on the street will be maintained and trees in planters will be smaller to thrive in the weather and location.

**PUBLIC:** Emails from Jan Nyman and Marilyn Griffin expressing opposition were received and distributed to the Commission for review prior to the meeting.

John Eiman, 145 North 200 East, is a single-family home owner opposed to this project. He asked about the desire to keep single-family residences in the Adams Neighborhood. Chairman Davis confirmed that was an objective of the Adams Neighborhood Specific Plan. Mr. Eiman sees the quality of the neighborhood degrading when property is turned over to landlords, particularly absentee landlords. The recent project to reclaim park strips has done much to bring back beauty but there are still parking problems in the area. Homeowners invest in the area and may be discouraged from staying if properties become blighted. He does not feel like the issue is as much the architecture as it is losing families and long-term residents.

Larry Hipps, 308 East 300 North, is interested in resolving the discrepancy between the Future Land Use Plan (FLUP), which designates this area out as Detached Residential, and the current zone which is Mixed Residential.

Jan Nyman, 524 East 1100 North, questioned whether this project fits in with the neighborhood and asked about maintenance of the balcony areas.

Marilyn Griffin, 630 North 200 East, expressed concern about statements made by the developer such as "out of the box", "state-of-the-art", and "gem for Logan City" which seem to raise a red flag. The project does not fit the neighborhood. Businesses have to fit their designs into the neighborhood more than this project seems to. She is not sure that this is a gem for the City.

**COMMISSION:** Commissioner Croshaw asked about height with regard to the neighborhood. Mr. Holley explained that the heights in the neighborhood vary quite a bit, with some taller buildings to the south. The project is below 45' which is the maximum height in this zone. The average height of buildings in the area is less than 2-stories.

Commissioner Price asked for clarification on the geothermal system. Mr. McDonagh discussed the system, which will also be used to heat the balconies and help with snow removal.

Commissioner Jensen brought up two issues of concern – zoning and design. The zone “is what it is” and he understands it is not up for discussion. He likes the innovation, material and the sustainable concepts; however, the character of the building does not fit with the scale of the neighborhood. This building could be beautiful in a different context but it does not match the bungalows and cottages in the area. He would not mind if it were reintroduced in a different format, however, as proposed, he cannot support it at this time.

Chairman Davis advised that there may be some concerns regarding articulation and asked for clarification on the design standards in the Land Development Code. Mr. Holley referenced the description of the MR-20 zone and the design standards for multi-family residential development.

Mr. Holley explained that the Code references accentuating each individual unit, however, he believes that is more applicable in townhome-style development. The wall planes are broken up by windows and vertical mass is broken up with the terracing. He pointed out that cement is not listed as a façade material in LDC 17.14.040-3(a). Commissioner Price noted that concrete buildings tend to “look like concrete buildings”; he cannot tell how it will be articulated and is concerned because the renderings are not clear.

Chairman Davis pointed out wording in the LDC 17.14.040-3(a) “*Changes in color or material shall occur where there are breaks in planes and where appropriate for trim and other details. Building materials shall include masonry materials, fiber cement siding, wood siding, board and batten, stucco, fiber cement panels, metal, brick, native stone or similar regional materials*”. The Commission needs to determine if this proposal meets that portion of the Code.

Commissioner Jensen said that even if it were travertine, he still would not like it. He is not sure the specific stone-look is as much of a concern as the form of the building.

Commissioner Price noted LDC 17.14.040-A “*The purpose is to ensure that new multi-family developments create physical environments that are varied, aesthetic, and consistent with the character and walkability of Logan’s neighborhoods*”. He has concern regarding the scale and form of the building. It has more of an institutional style that does not seem to fit in that neighborhood.

Chairman Davis pointed out LDC 17.15.020 and -030 which address “*a neighborhood’s form and scale, while enhancing the built environment consistent with the purpose of the residential zones*”.

Commissioner Romero has lived on that block; there is a mix of styles already in the area. Although she may not like it, she does not feel that is enough to deny the project. She is concerned about the description of renters as “irresponsible and transient”. Good housing should be valuable for all.

Commissioner Butterfield has been looking at the design requirements of the Code and the project seems to meet them. The neighborhood is an eclectic mix of styles and that is part of its charm.

The Commission discussed the list of materials listed in LDC 17.14.020-3(a). Mr. Housley clarified that “*shall include*” would not exclude other similar materials. The proposed material would not be inconsistent with the Code.

Commissioner Jensen pointed out that the street tends to have residences with a more human scale. Design is unlimited, but other areas have completed projects with a mix of design.

Commissioner Sinclair agreed with Commissioners Romero and Butterfield that the neighborhood has an eclectic character.

**MOTION:** Commissioner Jensen moved to **deny** a Design Review Permit as outlined in PC 15-027 based on noncompliance and incompatibility with LDC sections 17.14.040-A, 17.15.020, 17.15.030, and the Adams Neighborhood Specific Plan. Commissioner Croshaw seconded the motion.

[Moved: Commissioner Jensen Seconded: Commissioner Croshaw **Passed: 4-3**  
Yea: A. Davis, R. Croshaw, T. Jensen, R. Price Nay: D. Butterfield, M. Romero, S. Sinclair Abstain:

The Commission had a discussion with Mr. McDonagh regarding incompatibility concerns. Chairman Davis referred him to the appeal authority process if he feels he has met the Code requirements. He asked what the Commission wanted to see. Commissioner Butterfield said this is a very subjective decision and there is not an easy quantitative way to answer.

Commissioner Price noted that the flat/inverted roof was one of the items that required the Commission's review. The fenestration looks monolithic and the scale does not fit.

Commissioner Jensen said design is not something that can be quantified. This project does not look like anything else in the area, the proposed style is international contemporary and the surrounding neighborhood is not. He could provide the applicant with pictures of more appropriate applications with articulation and design sense.

Chairman Davis noted that when the zoning was reviewed it was supposed to come back to the Commission for a block-by-block review. She would like to take a closer look at this particular 2-block area because of inconsistency with the Adams Neighborhood Specific Plan, the Future Land Use Plan and the current zone.

Commissioner Romero agreed that this area seems somewhat schizophrenic and would like to see more single-family housing.

Commissioner Price feels the MR-20 zoning is one of the struggles because it pushes owners to maximize density.

Commissioner Butterfield discussed that from a planning standpoint this is an area of valuable real estate and he would welcome a review.

Jeannie Simmonds, from the Municipal Council, addressed the Commission and said that strategic zoning to preserve some areas and allow reasonable multi-family in other areas would accommodate the goals of densification and protect neighborhoods. A whole-block philosophy would not necessarily be appropriate; however, she thinks it would be worth reviewing.

Mr. Housley noted that parcel-by-parcel zoning would not comply with the General Plan which calls out for large swaths of land to be similarly zoned. Councilmember Simmonds recommended a half-block review versus a parcel-to-parcel study.

Chairman Davis directed staff to look at these two blocks and provide data for the Commission to review. She requested Mr. Holley work on the project due to his familiarity with the Adams Specific Plan.

#### **WORKSHOP ITEMS for June 25, 2015** - None

Meeting adjourned at 7:10 p.m.



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Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of June 11, 2015.

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Michael A. DeSimone  
Community Development Director

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Amanda Davis  
2015 Planning Commission Chair

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Russ Holley  
Senior Planner

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Amber Reeder  
Planner II

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Debbie Zilles  
Administrative Assistant